

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

APR 6 2006

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY DEPUTY

HERBERT G. POLK,

Petitioner,

vs.

JUSTIN JONES, Director,

Respondent.

No. CIV-06-278-W

ORDER

On March 20, 2006, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Motion for Leave to Proceed in Forma Pauperis filed by petitioner Herbert G. Polk be denied and that the matter be dismissed without prejudice if Polk did not pay the filing fee in full by April 10, 2006.

Polk did not object to the Report and Recommendation, and the record indicates that Polk has now paid the required filing fee.

Accordingly, the Court

- (1) ADOPTS the Report and Recommendation filed on March 20, 2006;
- (2) DENIES Polk's Motion for Leave to Proceed in Forma Pauperis [Doc. 2]; and
- (3) RE-REFERS this matter to Magistrate Judge Purcell for further proceedings.

ENTERED this 6th day of April, 2006.



LEE R. WEST
UNITED STATES DISTRICT JUDGE